

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

_____)	
MAYFLOWER CONSTRUCTION,)	
INCORPORATED,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-1250
)	
LIBERTY MUTUAL INSURANCE COMPANY,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on Defendant's Motion to Join Costello Construction of Maryland, Incorporated (Costello) as a Party Defendant and/or for Intervention.

The Court finds that Costello should be joined as a party pursuant to Fed. R. Civ. P. 19(a). Costello is subject to service of process and its joinder will not destroy diversity jurisdiction under 28 U.S.C. § 1332 (2000). Furthermore, Costello has an interest in the outcome of the case because, in order to prevail against Defendant, Plaintiff must show that Costello owes it money from the construction project. While Defendant has its own compelling reasons to mount a strong defense to Plaintiff's claims, Costello should be joined to permit it to fully protect its interest as well. The Court does

not consider Defendant's motion to be untimely. It is hereby

ORDERED that Defendant's motion is GRANTED and Costello Construction of Maryland, Incorporated shall be added as a party Defendant to this case. Any changes to the scheduling order shall be identified immediately and brought to the Court's attention within twenty-one days.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
March 28, 2006

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